

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CONSTANCE MICHAELS,

Plaintiff,

Case No. 06-14308
Hon. Marianne O. Battani

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION AND DISMISSING COMPLAINT**

Plaintiff Constance Michaels filed this action challenging the final decision of the Commissioner denying her application for social security benefits. The case was referred to Magistrate Judge Mona K. Majzoub pursuant to 28 U.S.C. § 636(b)(1). Because Plaintiff failed to serve her complaint, the Magistrate Judge issued a show cause order as to why the complaint should not be dismissed. Plaintiff failed to respond, and in a Report and Recommendation ("R&R") dated March 7, 2007, Magistrate Judge Majzoub recommended that Plaintiff's Complaint be dismissed for failure to prosecute.

In her Report and Recommendation, the Magistrate Judge informed Plaintiff that objections to the R&R needed to be filed "within ten (10) days of service" and that a party's failure to file objections would waive any further right of appeal. No objection has been filed. Consequently, Plaintiff has waived her right to *de novo* review and appeal. Accordingly, the Court **ADOPTS** the Magistrate Judge's recommendation; Plaintiff's Complaint is **DISMISSED** for failure to prosecute.

IT IS SO ORDERED.

s/Marianne O. Battani
MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

DATE: March 27, 2007

CERTIFICATE OF SERVICE

A copy of this Order was served upon Constance Michaels on this date.

s/Bernadette M. Thebolt
Deputy Clerk